

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA**

**Dakota Access, LLC
Dakota Access Pipeline Project
Siting Application**

CASE NO. PU-14-842

CERTIFICATION OF JOEY MAHMOUD

STATE OF NORTH DAKOTA

COUNTY OF BURLEIGH

Joey Mahmoud, being first duly sworn upon oath, states and alleges as follows:

1. That I am employed as the Vice President of Engineering for Dakota Access, LLC (“Dakota Access”) for the Dakota Access Pipeline Project (the “Project”) and have the authority to bind Dakota Access with respect to the certification made herein.

2. That I submit this certification in accordance with North Dakota Century Code (“N.D.C.C.”) § 49-22-16.3 and § 49-22-16.3(3) in support of Dakota Access’s route and corridor adjustments for the Project.

3. That on January 20, 2016, the North Dakota Public Service Commission (“Commission”) issued its Findings of Fact, Conclusions of Law and Order granting Dakota Access a Certificate of Corridor Compatibility and Route Permit for the Project.

4. That on April 5, 2016, Dakota Access filed an application to amend Certificate of Corridor Compatibility No. 179 and Route Permit No. 191 for the Project with respect to fifteen (15) reroute locations longer than one and one-half miles in length outside of the designated corridor.

5. That Dakota Access now seeks to modify the approved Project route and corridor, as depicted on the maps filed herewith, under N.D.C.C. § 49-22-16.3.

6. That the reroutes will occur in Mountrail, Williams, McKenzie, Dunn, Mercer, Morton, and Emmons County. Both the approved and modified route and corridor are depicted on the maps attached hereto as **Exhibit A**. The introductory materials to Exhibit A also identify the location of the reroutes and the subsection of N.D.C.C. § 49-22-16.3 applicable to the adjustments.

7. No owner of real property on which an adjustment is to be located and no applicable governmental entity with an interest in the same adjustment area oppose the adjustment. Attached hereto as **Exhibit B** is a list of all landowners affected by the route modifications.

8. That botany, wetland, and wildlife surveys have been completed for the proposed route and corridor modifications. A Summary of the Environmental/Exclusion and Avoidance Areas Analysis Completed for Reroute Locations prepared by Dakota Access discussing the various environmental reviews performed is attached hereto as **Exhibit C**. Also attached hereto as **Exhibit D** is a document setting forth the findings of the environmental crossing analysis for the reroute locations in table format.

9. That a Class II and Class III cultural resources inventory has been completed for the Project, which includes the proposed modified route and corridor. The review of the inventory and associated documents by the State Historic Preservation Office took into account all of the proposed route and corridor adjustments, as explained in the Summary of the Cultural Resources Analysis Completed for Reroute Locations from Dakota Access attached hereto as **Exhibit E**.

10. That following the Class III cultural resources inventory, the report was submitted to the North Dakota State Historic Preservation Office for review. Letters from the North Dakota State Historic Preservation Office concurring with the findings set forth in the inventory are attached hereto as **Exhibit F**, which include the reroute locations.

11. That no exclusion or avoidance areas will be affected by the route and corridor adjustments and associated construction activities, and that Dakota Access has conducted the necessary field studies to confirm the same. For the adjustments falling under N.D.C.C. § 49-22-16.3 and N.D.C.C. § 49-22-16.3(3) requiring additional temporary workspace, and where the route does not fall outside the designated corridor, the temporary workspace adjustments have been surveyed and will not impact any exclusion or avoidance areas. For the adjustments falling under N.D.C.C. § 49-22-16.3(3), surveys have confirmed that the route adjustments will not impact any exclusion or avoidance areas. A table setting forth the exclusion and avoidance criteria analysis performed for the reroute locations is attached hereto as **Exhibit G**. A Summary of the Environmental/Exclusion and Avoidance Areas Analysis Completed for Reroute Locations prepared by Dakota Access discussing the exclusion and avoidance area reviews performed is attached hereto as **Exhibit C**.

12. That for each of the route adjustments, the route outside the designated corridor is no longer than one and one-half miles in length. The exact length of each reroute, and the length outside of the designated corridor, is set forth in the environmental crossing analysis table attached hereto as **Exhibit D**.


13. That Dakota Access will comply with the Commission's orders, laws, and rules designating the corridor and designating the route.

FURTHER AFFIANT SAYETH NOT.



Joey Mahmoud

Subscribed and sworn to before me
this 23rd day of May, 2016.



Notary Public

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